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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

In Re: ARETE LAND COMPANY, LLC. 967 West Center Street Provo, UT 84057	Bankruptcy No. 21-20488 Chapter 11 (Subchapter V)
Debtor in Possession.	FILED ELECTRONICALLY
	Judge William T. Thurman

APPLICATION OF THE DEBTOR PURSUANT TO 11 U.S.C. §327 FOR
AUTHORIZATION TO EMPLOY DIAZ & LARSEN AS COUNSEL

Arete Land Company, LLC, the debtor and debtor-in-possession (the “Debtor”), by this application (the “Application”), hereby moves this Court for entry of an order authorizing the retention of Diaz & Larsen (“D&L”) as counsel to the Debtor, and respectfully represents as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§1157 and 1334. This is a core proceeding pursuant to 28 U.S.C. §157(b). Venue is proper before this Court pursuant to 28 U.S.C. §§1408 and 1409.

BACKGROUND

2. On February 9, 2021, (the “Petition Date”), the Debtor commenced a voluntary case

under chapter 11 of the Bankruptcy Code.

RETENTION AND EMPLOYMENT OF DIAZ & LARSEN

3. Subject to approval of this Court, the Debtor has employed D&L as its bankruptcy counsel.
4. By this Application, the Debtor respectfully requests entry of an order pursuant to Section 327 of the Bankruptcy Code authorizing the Debtor to employ and retain D&L as bankruptcy counsel.
5. D&L has informed the Debtor that all attorneys of D&L who will be engaged in representing the Debtor in this chapter 11 case are admitted to practice before this Court.
6. The Debtor seeks to retain D&L as its bankruptcy counsel because of its' attorneys' experience and knowledge in the field of debtors' and creditors' rights and business reorganizations under chapter 11 of the Bankruptcy Code and in practicing before this Court. The Debtor maintains that D&L is both well qualified and able to represent the Debtor in this chapter 11 case in an efficient manner.
7. D&L has received a retainer from the Debtor in the amount of \$32,000.00. D&L applied the retainer to pay the \$1,738.00 filing fee required by the Court for filing the Chapter 11 case. D&L also applied the remaining retainer in the amount of \$7,109.50 for legal services rendered and additional costs incurred prior to but in connection with this bankruptcy case.
8. D&L will submit interim and final applications for compensation and reimbursement in accordance with all orders of the Court and other applicable laws and rules.
9. Subject to (i) further order of this Court, (ii) applicable Bankruptcy Code provisions

and the Federal Rules of Bankruptcy Procedure, and (iii) applicable rules of the Utah Rules of Professional Conduct, including, Rules 1.7, 1.9 and 1.10, D&L will provide the following services to the Debtor:

- a. Advising the Debtor of its rights, powers, and duties as debtor and debtor in possession;
 - b. Taking all necessary action to protect and preserve the estate of the Debtor, including the prosecution of actions on the Debtor's behalf, the defense of actions commenced against the Debtor, the negotiation of disputes in which the Debtor is involved, and the preparation of objections to claims filed against the Debtor's estate;
 - c. Assisting in preparing on behalf of the Debtor all necessary schedules and statements, motions, applications, answers, orders, reports, and papers in connection with the administration of the Debtor's estate;
 - d. Assisting in presenting the Debtor's proposed plan of reorganization and all related transactions and any related revisions, amendments, etc.; and
 - e. Performing all other necessary legal services in connection with this chapter 11 case.
10. D&L has indicated its willingness to act in this case and render the necessary professional services as bankruptcy counsel to the Debtor.
 11. To the best of the Debtor's knowledge, the members and associates of D&L do not have any connection with or any interest adverse to the Debtor, his creditors, the attorneys and financial advisors of the Debtor, or any other party in interest in the Debtor's chapter 11 case, except as set forth in the affidavit of Andres Diaz, manager

of D&L (the “Diaz Affidavit”) submitted contemporaneously herewith.

12. Accordingly, the Debtor submits that D&L’s representation of the Debtor is permissible under Section 327 of the Bankruptcy Code and is in the best interests of the Debtor and its estate.
13. The Debtor understands that D&L intends to apply to the Court for allowance of compensation and reimbursement of expenses in accordance with applicable provisions of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and the local rules and orders of this Court (the “Local Rules”) for all services performed and expenses incurred after the date of filing of this Application.
14. The Debtor, subject to the provisions of the Bankruptcy Code, the Bankruptcy Rules, the Local Rules, and further orders of the Court, proposes to pay D&L its customary hourly rates for services rendered that are in effect from time to time, as set forth in the Diaz Affidavit, and to reimburse D&L according to its customary reimbursement policies, and submits that such rates are reasonable.

NOTICE

15. No examiner, or creditors’ committee has been appointed in the Debtor’s chapter 11 case. Brian M. Rothschild has been appointed as the Trustee in this Chapter 11 (Subchapter V) case. Notice of this Application has been given to the Trustee and the United States Trustee for the District of Utah. Under the circumstances, the Debtor submits that no further notice is necessary or required.
16. No previous request for relief sought herein has been made to this or any other court.

WHEREFORE, the Debtor respectfully requests entry of an order granting the relief requested herein and such other and further relief as this Court deems just and proper.

DATED this 16th day of February 2021.

ARETE LAND COMPANY, LLC

By: Christopher Shurian
Its: Manager